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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRAN DINH TRUONG, individually and on
Behalf of ALPHONSE HOTEL CORP. d/b/a
HOTEL CARTER,

Plaintiff,

-against-

NEW YORK HOTEL AND MOTEL TRADES
COUNCIL, AFL-CIO, et al.,

Defendants.

No. 1:07-CV-11383 (RJH)

NOTICE OF MOTION FOR
SUMMARY JUDGMENT TO
CONFIRM LABOR ARBITRATION
AWARDS PURSUANT TO
FED. R. CIV. P. 56

PLEASE TAKE NOTICE that, upon the accompanying Local Rule 56.1 Statement of Undisputed Material Facts, dated August 20, 2008, the accompanying memorandum of law of same date, the Declaration of Barry N. Saltzman of same date and the exhibits annexed thereto, the Affidavit of Rolando Ruiz, dated August 19, 2008, and all prior proceedings and filings had heretofore herein, Respondent New York Hotel & Motel Trades Council, AFL-CIO ("Union") will move this Court before the Honorable Richard J. Holwell, U.S.D.J. for an order, pursuant to Fed. R. Civ. P. 56 confirming the arbitration awards dated June 27, 2007 (IC Award No. 2007-38), August 14, 2007 (IC Award No. 2007-26), August 14, 2007 (IC Award No. 2007-59) as supplemented September 18, 2007 (IC Award No. 2007-62 suppl.); and granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1(b) of the United States District Courts for the Southern and Eastern Districts of New York, and the briefing schedule set by the Honorable Richard J Holwell, U.S.D.J., any opposing affidavits and responsive memorandum of law shall be served by September 10, 2008.

Dated: New York, New York
August 20, 2008

PITTA & DREIER LLP
Attorneys for Defendant Union



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